

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6554

BILL NUMBER: SB 594

NOTE PREPARED: Dec 27, 2012

BILL AMENDED:

SUBJECT: Child Custody.

FIRST AUTHOR: Sen. Holdman

BILL STATUS: As Introduced

FIRST SPONSOR:

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: No Fiscal Impact

Summary of Legislation: This bill establishes a rebuttable presumption that an award of joint legal custody and joint physical custody is in the best interests of a child in a dissolution of marriage action. The bill provides exceptions for the rebuttable presumption.

The bill also requires a court, if a party seeks to rebut the presumption, to consider: (1) the fitness and suitability of each of the persons seeking joint custody; (2) the ability of the parents to communicate and advance the child's welfare; and (3) whether the child has established a close and beneficial relationship with both persons seeking joint custody. It provides that each party is responsible for attorney's fees and costs associated with certain custody or parenting time proceedings.

The bill requires that each party to a mediation associated with certain custody or parenting time proceedings must share mediation costs equally. It also repeals provisions concerning joint legal custody and makes conforming changes.

Effective Date: July 1, 2013.

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

Fiscal Analyst: Bill Brumbach, 232-9559.